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12 Attorneys for Plaintiff

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17  
18 UNITED STATES OF AMERICA, ) No. 3: 12-70071 JCS  
19 Plaintiff, ) STIPULATION AND [PROPOSED]  
20 v. ) ORDER VACATING HEARING AND  
21 AHMED RACHID, ) SETTING DATE FOR INITIAL  
22 Defendant. ) APPEARANCE AND ARRAIGNMENT  
23  
24 Date: May 3, 2012  
25 Time: 9:30 a.m.

26 On January 27, 2012, the parties appeared before the Court and set a date for a  
27 preliminary hearing on May 3, 2012. The parties stipulated, upon a showing of good cause and  
28 with the defendant's consent, that the time between January 27 and May 3, 2012 was excluded  
under Federal Rule of Criminal Procedure 5.1(d). This time was also excluded under the Speedy  
Trial Act, to afford the defendant time to obtain counsel, assure continuity of counsel and allow  
for effective preparation of counsel, 18 U.S.C. §3161(h)(7)(B)(iv).

29 The parties now move the Court to vacate the scheduled preliminary hearing and set a  
30 date for arraignment on an indictment or information on April 27, 2012. The defendant consents  
31 to the extension of time and the parties stipulate that good cause exists to extend the time  
32 between the date this order is issued and April 27, 2012, under F.R.Cr.P. 5.1(d). The parties

1 further stipulate that the time between the date this order is issued and April 27, 2012 is  
2 excludable under the Speedy Trial Act assure continuity of counsel and allow for effective  
3 preparation of counsel, 18 U.S.C. §3161(h)(7)(B)(iv).

4 SO STIPULATED.

5 DATED: April 16, 2012

MELINDA HAAG  
United States Attorney  
/s/

7 BENJAMIN TOLKOFF  
8 Assistant United States Attorney

9 DATED: April 16, 2012  
10 /s/  
11 BRIAN NEWMAN  
12 Attorney for AHMED RACHID

13 For good cause shown and for the reasons set forth above, the preliminary hearing  
14 scheduled for May 3, 2012 is vacated. This matter is scheduled for arraignment on an indictment  
15 or information on April 27, 2012. The time between today and April 27, 2012 is excluded under  
16 F.R.Cr.P. 5.1(d) and the Speedy Trial Act. Failure to grant the exclusion would deny the  
17 defendant continuity of counsel and effective preparation of counsel and would result in a  
18 miscarriage of justice, 18 U.S.C. § 3161(h)(7)(B)(iv).

19 SO ORDERED.

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22 DATE: 4/17/12

  
HON. JACQUELINE SCOTT CORLEY  
United States Magistrate Judge

  
MANDOR VADAS

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